

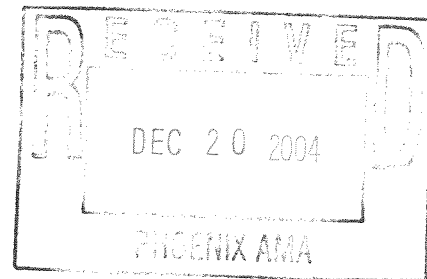
Robert Glennon
Morris K. Udall Professor of Law
and Public Policy

THE UNIVERSITY OF
ARIZONA®
TUCSON ARIZONA

James E. Rogers College of Law
1201 East Speedway
P.O. Box 210176
Tucson, Arizona 85721-0176
(520) 621-1614
Fax: (520) 621-9140
glennon@law.arizona.edu

BY FAX AND U.S. MAIL

December 16, 2004



Mr. H. Scott Miller
Arizona Department of Water Resources
Water Management Division
500 North Third Street
Phoenix, AZ 85004

Re: Rules Governing Well Spacing and Well Impacts and Replacement Wells

Dear Scott:

In response to your e-mail, Pima County and the Pima County Flood Control District would like to see a number of issues discussed in connection with the above-titled rules.

First, the impact of new non-exempt wells on surface water users.

Second, the impact of new non-exempt wells on riparian habitat.

Third, the impact of new non-exempt wells on monitoring wells and piezometers.

Fourth, the need to have a public notice procedure to advise potentially affected parties of a proposed new non-exempt well.

We also think that problems posed by exempt wells should be part of DWR's package of proposed statutory changes.

We look forward to engaging in the stakeholder deliberative process.

Very truly yours,

Robert Glennon
Morris K. Udall Professor of Law
and Public Policy

RG:sd

cc: Ms. Julia Fonseca, Pima County Flood Control District
Mr. Hal Gilbreath, Esq., Pima County Attorney's Office